

**UNITED STATES DISTRICT COURT FOR
THE SOUTHERN DISTRICT OF NEW YORK**

GO GLOBAL RETAIL LLC,

Plaintiff,

-against-

DREAM ON ME INDUSTRIES, INC.,
and DREAM ON ME, INC.

Defendants.

1:23-cv-07987 (AS)

Filed Electronically

**DECLARATION OF COUNSEL
IN SUPPORT OF DOM'S
MOTION FOR SUMMARY
JUDGMENT PURSUANT TO
RULE 56(A)**

THOMAS K. MURPHY III, ESQ., declares as follows:

1. I am an attorney-at-law of the State of New York and am admitted to practice in this District. I am a Counsel at the law firm of Greenbaum, Rowe, Smith & Davis LLP, attorneys for Defendants, Dream on Me Industries, Inc. and Dream On Me, Inc. ("DOM"), and as such, I am familiar with the facts set forth herein.

2. I make this Declaration in in support of DOM's Motion for Summary Judgment Pursuant to Federal Rule of Civil Procedure 56(a).

3. All exhibits attached hereto are true and accurate copies of the originals.

4. Attached as Exhibit AU is a copy of the June 26, 2023, email exchange between Go Global Retail LLC ("Go Global"), Ankura Capital Advisors, LLC ("Ankura"), and George Mrkonic.

5. Attached as Exhibit AV is a copy of the June 20, 2023, Cart.com letter to Go Global.

6. Attached as Exhibit AW is a copy of the July 5, 2023, email exchange between Go Global and Axar Capital Management LP regarding Ziff Davis, Inc. ("Ziff Davis").

7. Attached as Exhibit AX is a copy of a July 6, 2023, email exchange between Ziff Davis and Go Global.

8. Attached as Exhibit AY is a copy of a July 7, 2023, email exchange between Ziff Davis and Go Global.

9. Attached as Exhibit AZ is a copy of the expert report of Adam J. Hanover, dated December 9, 2024.

I declare under penalty of perjury that the foregoing statements by me are true and correct. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

GREENBAUM, ROWE, SMITH & DAVIS LLP

Attorneys for Defendants,
Dream On Me Industries, Inc. and
Dream on Me, Inc.

By: s/ Thomas K. Murphy III
Thomas K. Murphy III, Esq.

Dated: January 16, 2025